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Attorneys for Defendant  
HUHTAMAKI, INC.

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

RAYMUNDO CALDERA, III, an individual,  
Plaintiff,

v.

HUHTAMAKI, INC., a Kansas corporation; and  
DOES 1 through 50, inclusive,  
Defendants.

Case No.: 2:21-cv-01408-TLN-AC

**STIPULATION AND ORDER TO  
EXTEND DEADLINES BY 90 DAYS  
AND MODIFY THE SCHEDULING  
ORDER**

Trial Date: None Set  
Complaint Filed: June 24, 2021

Pursuant to Local Rule 144, the parties hereby file a Stipulation to Extend Deadlines by 90 Days and Modify the Scheduling Order, and in support thereof state the following

1. Pursuant to the August 9, 2021, Initial Pretrial Scheduling Order, non-expert discovery closes on April 6, 2022 (240 days after Defendant's answer was due).

2. As set forth below, the parties have engaged in discovery over the last five months. The parties are currently engaged in discovery disputes and require additional time to work through the

STIPULATION TO EXTEND  
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1 pending discovery issues prior to the close of discovery.

2 3. The parties exchanged initial disclosures and written discovery in October and  
3 November 2021.

4 4. On December 20, 2021, the parties produced discovery responses and documents.

5 5. On January 10, 2022, Defendant sent Plaintiff a discovery meet and confer letter  
6 requesting that Plaintiff cure various deficiencies in his written responses and document production.  
7 The parties have continued to meet and confer regarding these issues over the last month.

8 6. Among other things, a critical discovery issue concerns Plaintiff's identification of his  
9 health-care providers, production of medical records relating to his claimed disability and emotional  
10 distress, production of his applications and related documents for his attempt to obtain state disability  
11 benefits, and production of text messages of which Defendant contends are central to its defense to  
12 Plaintiff's various disability related claims. Plaintiff has opposed the production of this information  
13 on various grounds and the parties endeavoring to work through these issues without the intervention  
14 of the Court and prior to the taking of depositions. However, should they be unable to resolve these  
15 issues the parties anticipate filing a joint discovery letter with the magistrate judge within the next two  
16 weeks, pursuant to the magistrate's standing order regarding procedures for discovery disputes.

17 7. Given the pendency of and the time it will take to resolve these discovery issues (either  
18 with or without Court assistance), counsel for the Parties' respective work schedules (counsel for  
19 Defendant is preparing for and going to be involved in collective bargaining for Defendant in March  
20 and April and counsel for Plaintiff will be involved in an arbitration in March and April), it is highly  
21 unlikely that Plaintiff will be able to obtain the information (to the extent it is in the possession of third  
22 parties such as health care providers and state benefits boards, etc.) and Defendant will be afforded  
23 the time necessary to fully review the documents, prepare for and take Plaintiff's deposition by the  
24 April 6, 2022 deadline.

25 8. Moreover, while Plaintiff has already noticed depositions of Defendant's PMK, and  
26 other percipient witnesses, Plaintiff has been unable to conduct depositions to date because Plaintiff's  
27 counsel was required to attend to and care for his ill father who underwent surgery on January 18,  
28 2022 and is still in recovery.

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1           9. In parallel to the pending discovery issues and the parties are also actively engaged in  
2 good faith settlement discussions. If the parties cannot reach a private agreement within the next two  
3 weeks, the parties have agreed to schedule a private mediation to take place within the next 90 days

4           10. In short, the parties would like additional time to try and exhaust settlement discussions  
5 and to mediate the case while still affording them the time necessary to resolve their discovery dispute  
6 and conduct depositions.

7           11. This is the parties' first request to extend any deadlines in this case. Further, the  
8 extension sought in this case will not prejudice any trial date as no trial date has been set by the Court  
9 in this case.

10           12. Counsel for both parties respectfully request that this Court extend all deadlines in the  
11 case (including, but not limited to the fact discovery deadline, the expert disclosure and discovery  
12 deadline and the dispositive motion deadline) by 90 days (i.e. up to and July 5, 2022). This will afford  
13 the time necessary to resolve their exhaust settlement discussions, mediate the case and, if  
14 unsuccessful resolve their discovery dispute and complete discovery.

15           IT IS SO STIPULATED THROUGH COUNSEL OF RECORD.

16           Dated: February 16, 2022

LITTLER MENDELSON P.C.

17  
18           /s/ Michael W. Nelson

GREGORY G. ISKANDER  
19 JAMES P. SMITH  
20 MICHAEL W. NELSON

21           Attorneys for Defendant  
HUHTAMAKI, INC.

22           Dated: February 16, 2022

LIBERTY MAN LAW

23  
24           /s/ Arash S. Khosrowshahi

ARASH S. KHOSROWSHAHI

25           Attorneys for Plaintiff  
26 RAYMUNDO CALDERA III

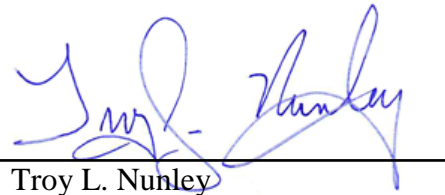
27           STIPULATION TO EXTEND  
28           DEADLINES AND MODIFY THE  
              SCHEDULING ORDER

**ORDER**

The above **STIPULATION TO EXTEND DEADLINES AND MODIFY THE SCHEDULING ORDER** is approved for this case. The deadline to complete non-expert discovery is extended to July 5, 2022. All other deadlines described in the initial scheduling order, including expert discovery and dispositive motions, are also extended by 90 days.

**IT IS SO ORDERED.**

Dated: February 16, 2022



Troy L. Nunley  
United States District Judge

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